

**REMARKS**

Favorable reconsideration of this application in view of the above amendments and in light of the following discussion is respectfully requested.

Claims 1-4 and 6 are presently active. The present Amendment amends Claims 1-4 and 6; and cancels Claim 5 without prejudice or disclaimer.

By way of review, the Office Action objected to the specification for informalities and Claims 1, 3, and 4 for inconsistencies. The Office Action also rejected Claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite; and rejected Claims 1 and 2 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 4,552,129 (hereinafter, "Utsugi").

Claims 3-6 were objected to, but indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The indication of allowable subject matter is gratefully acknowledged. For the reasons set forth below, it is submitted that all claims are now in condition for allowance.

In response to the objection to specification, the specification has been amended to address the noted informality. Thus, Applicant respectfully requests the withdrawal of the objection to the specification. In light of their formal nature, the changes to the specification do not raise a question of new matter.

In response to the objection to Claims 1, 3, and 4 for inconsistencies, Claims 1, 3, and 4 are presently amended to address the inconsistencies. Specifically, Claim 1 is presently amended to recite "a passage forming structure," "a base end tubular member," and "a fore end tubular member" instead of "tubular structural members" or "tubular members." Dependent Claims 2-4, and 6 are presently amended to be consistent with amended Claim 1 and dependent Claims 2-4 are additionally amended to recite "at least one intermediate tubular member" instead of "a second tubular member." In light of their formal nature, these changes to the specification do not raise a question of new matter. Thus, it is respectfully

submitted that there are no inconsistencies in the claims and the objection to the claims based on inconsistencies in respectfully requested.

In response to the rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite, Claim 1 is presently amended to recite “a casing for manipulating a head assembly of an endoscope” instead of “a casing for manipulating head assembly.” Claims 2-4 and 6 are presently amended to be consistent with the amendment to Claim 1. In view of amended Claims 1-4 and 6, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

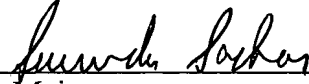
In response to the indication of allowable subject matter, independent Claim 1 is rewritten to incorporate the subject matter of Claim 5, which original depended from Claim 1 without any intervening claims. Accordingly, independent Claim 1 and Claims 2-4 and 6 depending therefrom are presently in condition for formal allowance.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



\_\_\_\_\_  
Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Surinder Sachar  
Registration No. 34,423